

1 MARTIN D. BERN (SBN 153203)  
2 Martin.Bern@mto.com  
3 MALCOLM A. HEINICKE (SBN 194174)  
4 Malcolm.Heinicke@mto.com  
5 MUNGER, TOLLES & OLSON LLP  
6 560 Mission Street  
7 Twenty-Seventh Floor  
8 San Francisco, CA 94105-2907  
9 Telephone: (415) 512-4000  
10 Facsimile: (415) 512-4077

11  
12 Attorneys for Defendant  
13 GUARDSMARK, LLC

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO/OAKLAND DIVISION

17  
18 JOHNNY MCFARLAND, on behalf of  
19 himself and all others similarly situated,

20 Plaintiff,

21 vs.

22 GUARDSMARK, LLC, and Does 1  
23 through 50, inclusive,

24 Defendants.

25 CASE NO. 07-3953 MEJ

26 **CERTIFICATE OF SERVICE OF NOTICE  
27 TO ADVERSE PARTY OF REMOVAL TO  
FEDERAL COURT**

28 I, Marsha Poulin, certify and declare:

29 1. I am over the age of 18 and not a party to the within cause. I am employed  
30 by Munger, Tolles & Olson LLP in the County of San Francisco, State of California. My  
31 business address is 560 Mission Street, Twenty-Seventh Floor, San Francisco, California 94105-  
32 2907.

33 2. On August 1, 2007, I served true copies of the document entitled:

34 **NOTICE OF REMOVAL OF ACTION TO UNITED STATES DISTRICT COURT,**  
35 a copy of which is attached to this Certificate (without Exhibits), by placing it in an addressed  
36 sealed envelope(s) clearly labeled to identify the person(s) being served at the address(es) shown  
37 below and placed said envelope(s) in interoffice mail for collection and deposit with the United

1 States Postal Service at 560 Mission Street, Twenty-Seventh Floor, San Francisco, California, on  
 2 that same date, following ordinary business practices:

3 Daniel H. Qualls  
 4 Robin G. Workman  
 5 QUALLS & WORKMAN, L.L.P.  
 6 244 California Street, Suite 410  
 7 San Francisco, CA 94111

David Sanford  
 Meenoo Chahbazi  
 Angela Corridan  
 SANFORD, WHITE & HEISLER, LLP  
 1666 Connecticut Ave., N.W., Suite 310  
 Washington, D.C. 20009

Grant Morris  
 LAW OFFICES OF GRANT E. MORRIS  
 1666 Connecticut Ave., N.W., Suite 310  
 Washington, D.C. 20009

8           3. I am familiar with Munger, Tolles & Olson LLP's practice for collection  
 9 and processing correspondence for mailing with the United States Postal Service; in the ordinary  
 10 course of business, correspondence placed in interoffice mail is deposited with the United States  
 11 Postal Service with first class postage thereon fully prepaid on the same day it is placed for  
 12 collection and mailing.

13           I declare that I am employed in the office of a member of the bar of this court at  
 14 whose direction the service was made.

15           I declare under penalty of perjury that the foregoing is true and correct. Executed  
 16 on August 1, 2007, at San Francisco, California.

17           

18           Marsha Poulin

1 MARTIN D. BERN (State Bar No. 153203)  
2 Martin.Bern@mto.com  
3 MALCOLM A. HEINICKE (State Bar No. 194174)  
4 Malcolm.Heinicke@mto.com  
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8 San Francisco, CA 94105-2907  
9 Telephone: (415) 512-4000  
10 Facsimile: (415) 512-4077  
11 Attorneys for Defendant  
12 GUARDSMARK, LLC

ENDORSED  
FILED  
ALAMEDA COUNTY

AUG 01 2007

RECEIVED  
CLERK'S OFFICE, SUPERIOR COURT OF CALIFORNIA  
BY MICHAEL COLEMAN, Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF ALAMEDA

10  
11 JOHNNY MCFARLAND, on behalf of  
12 himself and all others similarly situated,  
13 Plaintiff,

CASE NO. RG07327410

Unlimited Civil Case

14  
15 vs.  
GUARDSMARK, LLC, and Does 1  
through 50, inclusive,

**NOTICE OF REMOVAL OF ACTION TO  
UNITED STATES DISTRICT COURT**

Complaint Filed: May 23, 2007  
Department: 22

16 Defendant.

17  
18 TO THE CLERK OF THE SUPERIOR COURT OF THE STATE OF  
19 CALIFORNIA FOR THE COUNTY OF ALAMEDA AND TO PLAINTIFF AND HIS  
20 ATTORNEYS OF RECORD:

21 PLEASE TAKE NOTICE that on August 1, 2007, pursuant to 28 U.S.C. §§ 1441,  
22 1446 and 1453, defendant Guardsmark, LLC removed this action to the United States District  
23 Court for the Northern District of California. A true and correct copy of the Notice of Removal is  
24 attached hereto as Exhibit A.

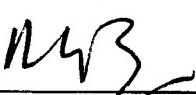
25 PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. § 1446(d), the  
26 filing of the Notice of Removal in the United States District Court for the Northern District of  
27 California, together with the filing of a copy of the Notice of Removal with this Court, effects

28  
3318407.1

1 removal of this action, and the above-captioned court may proceed no further unless and until the  
2 case is remanded.

3 DATED: August 1, 2007

MUNGER, TOLLES & OLSON LLP  
MARTIN D. BERN  
MALCOLM A. HEINICKE

6 By:   
7 MARTIN D. BERN

8 Attorneys for Defendant  
GUARDSMARK, LLC

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**PROOF OF SERVICE BY MAIL**

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 2 by Munger, Tolles & Olson LLP in the County of San Francisco, State of California. My  
 3 business address is 560 Mission St., Twenty-Seventh Fl., San Francisco, California 94105-2907.

2. On August 1, 2007, I served a true copy of the attached document entitled  
 3 NOTICE OF REMOVAL OF ACTION TO UNITED STATES DISTRICT COURT by placing it  
 4 in an addressed sealed envelope(s) clearly labeled to identify the person(s) being served at the  
 5 address(es) shown below/set forth on the attached service list and placed said envelope(s) in  
 6 interoffice mail for collection and deposit with the United States Postal Service at 560 Mission  
 7 St., 27<sup>th</sup> Fl., San Francisco, California, on that same date, following ordinary business practices:

12 Daniel H. Qualls  
 13 Robin G. Workman  
 14 QUALLS & WORKMAN, L.L.P.  
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 24 whose direction the service was made.

25 I declare under penalty of perjury that the foregoing is true and correct. Executed  
 26 on August 1, 2007, at San Francisco, California.



27 Marsha Poulin  
 28